

Remarks

I. Status of the Claims

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendments, claims 54-59, 62 and 63 are pending in the application, with claims 54, 57 and 58 being the independent claims. Claims 50-53, 60 and 61 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Claims 54-59 are sought to be amended. New claims 62 and 63 are sought to be added. These amendments are sought to place the claims into condition for allowance or for consideration on appeal, and introduce no new matter. Entry and consideration of these amendments are respectfully requested.

Based on the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

II. Summary of the Office Action

In the Office Action dated October 16, 2009, the Examiner has made one rejection of the claims. Applicant respectfully offers the following remarks concerning these rejections.

III. The Rejection Under 35 U.S.C. § 102(b)

In section 5 of the Office Action at pages 2-7, the Examiner has maintained the rejection of claims 50-53 and 60-61 under 35 U.S.C. § 102(b) as allegedly being anticipated by Lee *et al.*, *Science* 239: 1288-1291 (1988) (hereinafter "Lee"). Applicants respectfully disagree with the Examiner. However, in order to further prosecution, Applicants have

cancelled claims 50-53, 60 and 61. Thus, Applicants assert that this rejection has been rendered moot. Reconsideration and withdrawal are respectfully requested.

IV. Allowable Subject Matter

On page 7 of the Office Action, claims 54-59 were deemed to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Independent claims 54, 57 and 58 have been amended to include the limitations of previous claims 50 and 52, from which claims 54, 57 and 58 previously directly or ultimately depended. Claim 59 and new claims 62 and 63 (which incorporate the elements of claim 59) depend from independent claims 54, 57 and 58, respectively. Therefore, Applicants respectfully believe that the claims as currently presented represent subject matter deemed allowable by the Examiner in the present Office Action. Early notification of the allowance of all pending claims therefore is earnestly solicited.

V. Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

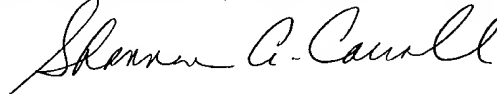
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Reply to Office Action of October 16, 2009

WILLIAMS *et al.*
Appl. No. 09/839,946

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in cursive script, reading "Shannon A. Carroll".

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